

- REMARKS / ARGUMENTS -

Claims 2-10, 12-14 and 25-43 and 45-47 are presently pending in this application. Claims 1, 5, 15 and 44 are cancelled. Claims 27-41 are withdrawn from consideration.

Claims 45 to 47 are new and correspond to at least part of the subject matter of previous claim 1.

Claims 2-6, 8, 12, 14, 25, 42-43 are amended for clarification purposes and the amendments are fully supported by the specification as a whole, in particular by the summary section and by paragraph [0056] of the description. No new matter is being added.

Rejections of claims 1-5, 7-15, and 25-26 and 44 under USC §102(e) in view of Colgan et al. (US 2004/0114859 A1)

The Office Action (OA) states that Colgan et al. teach a "sealed assembly" (referring to Fig. 6(a), items 23 and 24 in Colgan et al.), and polishing a first end of the sealed assembly at an angle (referring to Fig. 6(b) and paragraph [0073]).

In response, the Applicant refers to paragraph [0058] in Colgan et al., where it is disclosed that the v-groove array 45 is first formed by creating a v-groove channel 42 in the substrate 40. Colgan et al. teach that the channel 42 receives and locates an optical fiber 22. Then, the "*portion 24a of the fiber cladding layer 24 which extends beyond the Silicon surface is then lapped or polished off, stopping on, or near the surface of the silicon substrate 40 (Fig. 5d)*" (paragraph [0058]). The v-groove array 45 is then cut and polished at an angle.

Therefore, the substrate 40 having the optical fibers is **not covered before** cutting and polishing at an angle. This explains why Colgan et al. actually suggest that polishing at an angle "*is not a preferred method*" (emphasis added) (see paragraph [0065]), "*because dirt or other material, such as the bonding adhesive, on the resulting facet can scatter the light and depending on the divergence of the light source, all of the light may not be reflected into the core of the fiber or reflected to the photo detector.*" Such issues are a direct result of the Colgan et al. method not covering the v-groove array 45 to allow proper protection of the optical fibers therein during polishing, as

claimed in new claim 47. In Colgan et al., the optical fibers are exposed and may hence become damaged during the polishing step.

The Applicant further points out that Colgan et al. disclose in paragraphs [0064] and [0065] that it is "*the end of the v-groove channel (Fig. 5d), or v-groove array [45] (Fig. 6a), which contains the recessed fiber(s) to be coupled to optoelectronic devices, which is then cut and polished at an angle*". It is **not the v-groove array connector 54** (as seen in Fig. 7a) which is polished at an angle, but the v-groove channel (Fig. 5d) or the v-groove array 45 (Fig. 6a). The Examiner's reference to paragraph [0073] is thus inappropriate since paragraph [0073] specifically refers to the v-groove connector 54.

For the above reasons, the Applicant respectfully submits that the cited reference taken alone in view of common general knowledge in the art fails to teach some of the limitations of claim 47 and thus of all the claims dependent thereon. Claim 47 is therefore deemed patentably distinguish over the prior art.

Claim Rejections under 35 USC §103

Claims 6 and 14 are rejected under 35 U.S.C. §103 with respect to Colgan et al. in view of either one of Igl et al (US 6,318,902) and Kim et al. (US 2002/0039376 A).

In view of the above arguments and the claim dependencies, the Applicant reaffirms that the cited references which comprise Colgan et al., taken in combination or further in view of the common general knowledge in the art, fail to teach some of the claim limitations and, as such, withdrawal of the rejections under 35 U.S.C. § 103 is anticipated.

In view of the foregoing arguments, reconsideration of the rejections and objections is respectfully requested. The Applicant believes the pending claims to be in good standing and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

ROLSTON et al.

By:

Pierre T. A.-NGUYEN (Reg. No. 55,043)
Agent of Record
OGILVY RENAULT LLP
1981 McGill College Avenue, Suite 1600
Montreal, Quebec Canada H3A 2Y3
Tel.: (514) 847-4243